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OFFICE-SEEKING DURING JEFFERSON'S ADMINISTRATION

THE political campaign which resulted in Jefferson's election to the Presidency was one of unparalleled bitterness of feeling. Chiefly through his devoted lieutenants he had inspired the ranks of his party with the belief that the success of democratic government depended upon the success of the party which he led. His triumph, therefore, was popularly believed to be the triumph of the common people. Henceforth forms and ceremonies were to be set aside, and there were to be no privileges for one that another might not also enjoy. "Equal and exact justice to all men, of whatever state or persuasion, religious or political," was the first of the general principles of government which Jefferson announced in his inaugural address. The victory which he and his party gained was complete, but he thought that their permanent supremacy might be rendered certain if he could attract to his standard Federalists of the milder school. To accomplish this, it was plain that the hot hatred between the parties must be tempered. Therefore, he made at his inauguration this famous announcement: "But every difference of opinion is not a difference of principle. We have called by different names brethren of the same principle. We are all republicans; we are all federalists." The Federalists were soothed by these gentle words, and manifested a disposition to give the man who had beaten them a chance to show that he was not actually as bad as they had believed him to be. But if he was to acquire popularity with them he must not remove them from office to make room for Republicans, and the Republicans soon made him understand that, as they had won the election, they thought they had a right to enjoy the spoils of victory. What course to pursue so as to attract his opponents without repelling his friends was a perplexing question to the President. On two points he made up his mind in the beginning. The leading Federalists, being, as he called them, "incurables," should receive no favors from him, and those appointments made by Adams after the result of the presidential election became known should be treated as "nullities." Three days after his inauguration he wrote to Monroe:

I have firmly refused to follow the counsels of those who have advised the giving offices to some of their leaders, in order to reconcile.

I have given, and will give only to republicans, under existing circumstances. But I believe with others, that deprivations of office, if made on the ground of political principles alone, would revolt our new converts, and give a body to leaders who now stand alone. Some, I know, must be made. They must be as few as possible, done gradually, and bottomed on some malversation or inherent disqualification. Where we shall draw the line between retaining all and none, is not yet settled, and will not be till we get our administration together, and perhaps even then we shall proceed *a talons*, balancing our measures according to the impression we perceive them to make.¹

He disclosed his hopes in a letter to Gates the next day :

If we can hit on the true line of conduct which may conciliate the honest part of those who were called federalists, and do justice to those who have so long been excluded from it, I shall hope to be able to obliterate, or rather to unite the names of federalists and republicans.²

On the subject of Adams's late appointments he wrote to William B. Giles, March 23, and frequently repeated in subsequent letters the same idea :

. . . all appointments to *civil* offices *during pleasure*, made after the event of the election was certainly known to Mr. A, are considered as nullities. I do not view the persons appointed as even candidates for office, but make others without noticing or notifying them. Mr. A's best friends have agreed that this is right.³

To put this design into operation he drafted the form of a letter to be sent to certain officials. It is in his own hand and bears his endorsement, "Mr. Adams' last appointments."

Sir

The late President, Mr Adams, having not long before his retirement from office, made several appointments to *civil* offices holden *during the will* of the President, when so restricted in time as not to admit sufficient enquiry and consideration, the present President deems it proper that those appointments should be a subject of reconsideration and further enquiry. he considers it as of palpable justice that the officers who are to begin their course as agents of his administration should be persons on whom he has personal reliance for a faithful execution of his views. you will therefore be pleased to consider the appointment you have received as if never made, of which this early notice is given to prevent any derangement which that appointment might produce.⁴

Soon after he had assumed the burdens of his office his plan of action with reference to appointment began to shape itself, and we

¹ Jefferson's *Writings* (Ford), VIII. 10.

² *Works*, VIII. 11, 12.

³ *Ibid.*, 25.

⁴ MS, Archives of the Department of State. Unless otherwise stated all the papers quoted are from that source.

shall see in the progress of this paper that the broad principles which he announced when he was inaugurated and immediately afterwards, were in practice lost from sight under the pressure for place of his importunate followers. However great the difficulties which confronted him, he did not avoid them. As he was the head of the government, he accepted all the duties of its administration, and the applications for office which poured in upon him by the hundreds he read himself, marking each letter with his own hand, and considering them from the double standpoint of the welfare of his party and the proper conduct of public business. The most important case to engage his attention in the early days of his administration occurred in Connecticut. It is interesting for many reasons, and chiefly because of the highly-colored picture it presents of the political conditions prevailing in that state. That Jefferson entertained a lively antipathy toward Connecticut is not to be wondered at, when it is seen how cordially a majority of the people of the state detested him.

On February 18, 1801, hardly more than a fortnight before Jefferson became President, Adams appointed Elizur Goodrich to be collector of the port of New Haven, the post having been made vacant by the death of David Austin. Goodrich was thus liable to the "general nullification," but the President dealt with his case cautiously. He wrote to the Postmaster-General, Gideon Granger, March 29 :

There is one in your state which calls for decision, and on which Judge Lincoln will ask yourself and some others to consult and advise me. It is the case of Mr. Goodrich, whose being a recent appointment, made a few days only before Mr. Adams went out of office, is liable to the general nullification I affix to them. Yet there might be reason for continuing him : or if that would do more harm than good, we should inquire who is the person in the state who, superseding Mr. Goodrich, would from his character and standing in society, most effectually silence clamor, and justify the executive in comparison of the two characters.¹

On the same day he wrote to Pierrepont Edwards also asking his opinion on the subject. Granger replied as follows :

SUFFIELD April 15th, 1801.

Dear Sir,

Yours of the 29th ult. has been received

As to the case of M^r. Goodrich and the general questions affecting removals from office in this State, I have had a full consultation with Mess^{rs}. Edwards, Thirby and Wolcott and a few other tried friends. They are all agreed that the cause requires the removal of M^r. Goodrich

¹ *Writings*, VIII. 44, 45.

immediately, and of various other principal officers as soon and in such manner as the Executive should deem proper ; for my own part I have yielded to the same opinion so far as respects the principal officers in Newhaven, Hartford, Middletown and Litchfield though reluctantly and with some apprehension. I had always till last winter fondly cherished the hope that when the public will should declare in favor of the friends of equal liberty the foes to the constitution would attempt a reconciliation, and the country be happy and quiet ; nor was this hope abandoned untill I became acquainted with the scandalous scenes acted on the floor of Congress, with a clear view of destroying every thing dear and valuable at a single blow. I am now fully convinced of this truth, that though defeated our foes are not conquered, though they crouch it is but to secure their prey ;—that their exertions are and will be increased, and that finally the Republic must expire at the feet of aristocracy, or the faction be fully prostrated.

Our labors are commenced, but not perfected. We are yet to experience the most violent and severe contest every where East of Pennsylvania. In many of the states our friends are safe, and have a fair prospect of success : but with us in Connecticut the prospect is not pleasing, the exertions of our Clergy and Aristocracy at yesterday's election have exceeded every thing before known. The torrents of abuse from the pulpits were incredible, and this State whose representatives have the damning credit of planning the ruin of our happy Constitution, design to make themselves terrible in the opposition. The precise modes of their attacks cannot be known ; but that attacks will be made is certain. They may attempt the insidious policy of assumed confidence, and ostensibly yield before the storm while they secretly take every measure to destroy all confidence. I should not be astonished at such an appearance. We are not deficient in [*undecipherable*]. But Sir, let it assume what appearance it may, rest perfectly assured of this truth, ' that the most rancorous and deadly hatred and revenge are the sole passions of all the leaders of the party.

Premising that I am fully sensible of the agitations which will be produced by removals from office, that I have no connections for whom I wish office, and that I sincerely lament the existence of a state of things which require acts calculated to affect individuals, and to give pain to the feelings of the executive—I proceed to state the reasons upon which I have founded my opinion.

First,—the principle cannot be controverted, that it is just, fair and honorable that the friends of the Government should have at least as great a proportion of the honors and offices of the Government as they are of the whole people

Secondly, The general depression of the Republicans in this State, who have suffered every thing, combatting a Phalanx vastly superior to what can be found in any other part of the union forms a strong reason. Nothing can be lost here, and something may be gained : How far this applies to other parts of the union is not for me to judge. A knowl-

edge that we had the real confidence of the Executive I think would have a happy effect, for already it is used as an argument to affect our elections that the President used the Democrats to ride into office, that now seated there he has evinced his contempt for them, and will rely solely on the federalists for support. . . .

Lastly, The sacred rule that no man shall be persecuted for his opinions decently and reasonably maintained will not apply to any of our official Characters. I believe without a single exception All, and I know most have been bitter persecutors. . . .

I cannot close this letter without congratulating you, Sir, upon the complete success of republicanism in Rhode Island.

With the highest Esteem and

Respect I have the Honor

to Subscribe myself

Your real friend

GID^o GRANGER

Tho^s Jefferson Esq

Presid^t of U States

Edwards' reply came a month later. Jefferson endorsed it, "Goodrich to be removed."

NEW HAVEN May 12th, 1801.

S^r

Your letter of the 29th of March came to hand the 9th of April. It would have received an earlier answer, had I sooner been favored with an Opportunity of conferring with our republican friends, in the various parts of the State . . .

There is but one opinion among the intelligent republicans in Connecticut, respecting the case of M^r Goodrich ; all agree, that a removal will be right in itself, and that the Measure is necessary, as it regards the general cause in Connecticut. We have "*consulted and advised on the subject, taking a broad view of it, general as well as local*" . . . We are convinced, that his being continued in office, instead of reconciling his friends, or any part of the federalists to republicanism, and to your administration will strengthen them in their Opposition. They boldly assert that you dare not dismiss any federal officer in Connecticut. And they assign two reasons—"That you know, that if your administration is supported at all in Connecticut, it must be supported by the federalists," and, "that you have no confidence in any of the republicans, because you consider them as men unfriendly to all regular Government." They have the Affrontery to promulgate these sentiments in every corner of the State, and with vast industry ; and to convince that these sentiments are just, they refer to your conduct with respect to offices in Connecticut. they say, "Mr. Jefferson has displaced no Officer in Connecticut ; he has in other States ; and is it because the Officers in Connecticut are more republican than in other States ? No, they are the strongest federalists in the United States ; the true cause of his thus conducting is,

he dare not trust a republican in Connecticut, he knows they are, what we assert them to be, *disorganizers*. Every hour that the work of displacing is deferred gives strength to this delusion. I should not have mentioned what I have, were it not constantly and hourly said by the most influential and distinguished of the federal party. A few facts, out of hundreds that might be related with truth, I will mention. A Gentleman of high rank among the federalists, and holding one of the first Offices in the State, and considered by them as first in most respects, said openly in the Post Office, speaking of Harrison's¹ being displaced "that he would not trust himself alone in a room with you for a single Moment for the world, for he should be sure, that the man who would displace Harrison wou'd assassinate him." And on another Occasion, a few days before, speaking of you as president said, "he wou'd not trust you even to be a tide Waiter." I might fill a volume with speeches of a similar Nature, uttered by men high in Office, uttered by our Clergy, uttered by all ranks among the federalists. They talk here as tho' all power was still in their hands. If you administer the Government, say they, according to former administration, they will support you, but if you displace officers they will turn you out at the next Election.

Our Southern brethren, I presume, have no just conception, as to the state of things in Connecticut; the malignity of the federalists here is wholly inconceivable to any, but such as are eye and ear witnesses to all; we should be as slow to believe as they, if we had not had the evidence of our own senses, as to their conversation and conduct. The federalists are a corps most systematically organized. The Governor and Council, joined to the corporation of Yale College, which was originally wholly ecclesiastical (and thirteen out of twenty one are now ecclesiastics,) make all the arrangements; these are communicated to three general meetings of our established Clergy, one holden at the general election in May, one holden in July, called a general association, and one holden at the commencement in September; from these general meetings the plans are communicated to the County consociations, and there there are generally two in each County: these are composed of all the established Clergy living within the precincts of the respective Consociations—from them it is communicated to all the true federalists of each Parish. By these means they act with perfect uniformity; they are also, in this way, taught an uniformity of speech, on all political questions; so that if you hear any thing said by a federalist of tolerable respectability here, you may be sure that the same thing is prepared to be said every where. Since your election to the Presidency they have formed a plan, which looks more like producing some serious [*undecipherable*] than any that has ever yet been adopted by them: the Clergy are all to inculcate, with earnestness, in private conversation, and from the Pulpit the necessity of submitting to Government, the danger of speaking evil of those who administer the Government, *so long as they administer it well*. they are to shew

¹ Richard Harrison, whom Edward Livingston succeeded as district attorney for New York.

the fatal effects of not observing this sort of conduct : by stating, that if good men, who are in Office, are calumniated ; it will probably be the means of bringing into office bad men, *Deists*, men of no *religion*, men *profligate in their morals* ; and to shew clearly that such will be the effect of calumniating good officers, they are to tell the people, to look at *recent events*. several sermons have already been delivered in perfect conformity to this Plan. the federalists here do not consider themselves conquered ; they are putting every faculty to the torture to effect the overthrow of your republican Administration. Our leading federalists are all royalists ; they think as our Clergy do “ *Moses and Aaron here walk together.*” The throne and the alter have here entered into an alliance offensive and defensive. If they cannot effect a change in the administration, they are resolved to devide the Union. This measure however, even in their minds, has its difficulties ; the Republicans are numerous even in Connecticut, in Rhode Island they are decidedly a majority, in Massachusetts about seven fifteenths are republicans, in New Hampshire two fifths, in Vermont half are with us. The plan of dividing the Union therefore affords but a gloomy prospect of success, unless the republican party can be lessened ; this must be effected. To accomplish an event so desirable, has given them much thought, and no small share of trouble ; but it is at last determined, so far as Connecticut is concerned, to adopt the following measures—to disgrace the republican party, as much as possible ; for that purpose to teach, that M^r Jefferson has no confidence in them. a few are to be taken off, by courting them, bringing them into office here, but wholly by the force of federal Votes and influences to relax in the measure which they have heretofore adopted, of turning out every man, who was not a federalist ; to reinstate two or three, who have very good connections, that in the rage of party were turned out ; but on all occasions to teach it for doctrine, that the Democrats in Connecticut, are a set of men of no *talents*, no *property*, no *morals*, and *unfriendly to all Government*. with these facts in full View, we do not hesitate to say, that a *temporizing* policy will be, here, a *ruinous* policy. The Collector at Middletown deserves a dismission on more grounds than one. Violent, irritable, priest-ridden, implacable, a ferocious federalist, and a most indecent enemy to you and your administration,—one of the toast drank on the 4th of July last at Middletown, was “ *Thomas Jefferson* may he receive from his fellow Citizens the reward of his merit,” he drank it, adding, “ *a halter.*” I could fill a quire of paper with speeches of his equally Violent and indecent. As to M^r Goodrich’s successor we all agree that Samuel Bishop Esq^r of this town, Mayor of our City Chief Judge of our County Court, and a Decon in one of our established churches ought to be the man. In him will be embraced respectability, integrity, religion steady habits and firm republicanism. I deemed it important to you important to the United States that I should say nothing, in answer to your letter, but what should be the result of correct information, and sound deliberation ; and lest I should fail in some of these important Points I have deferred writing till this late hour. I am conscious

that I have written nothing which according to existing evidence, and that full and clear, I am not authorized to write. I am with the highest respect and Regard Your most ob^t serv

PIERRPONT EDWARDS

to his Excellency Thomas Jefferson.

One other paper from the archives may be quoted here. It is a memorandum in Jefferson's handwriting of a consultation with Livingston, probably Robert R., who was about to proceed on his mission to France.

CONNECTICUT

Mr. Livingston thinks it will be advantageous to make a general sweep in Connet^t. The people are governed 1. by their clergy 2. by their interest. The clergy irreclaimable. The only remaining motive therefore should be brought over to the Republican side as a counterpoise. They were federalists from interest. They are avaricious, and venal, looking always for gain.

Samuel Bishop was appointed in Goodrich's place. Immediately, Elias Shipman and others, a committee of merchants in New Haven, sent a formal remonstrance to the President. "The office," they said, "while filled by Mr. Goodrich, was conducted with a promptness, integrity and ability, satisfactory to the mercantile interests of this district—promptness and ability not to be found in his successor." Jefferson wrote a long and elaborate response, seizing the occasion to make a public announcement of his policy. He had satisfied himself, he said, of Bishop's fitness. Touching Goodrich's removal and his declarations in favor of political harmony, he said they had been misconstrued as assurances that "the tenure of office was not to be disturbed." This he thought unfair. "When it is considered, that during the late administration, those who were not of a particular sect of politics were excluded from all office; when, by a steady pursuit of this measure, nearly the whole offices of the United States were monopolized by that sect; when the public sentiment at length declared itself, and burst open the doors of honour and confidence to those whose opinions they more approved; was it to be imagined that this monopoly of office was still to be continued in the hands of the minority? Does it violate their rights, to assert some rights in the majority also? Is it political intolerance to claim a proportionate share of the direction of public affairs? Can they not harmonize in society unless they have everything in their own hands?" He thought if removals must be made they could most justly fall upon those appointed in the last hours of Adams's administration. "Mr. Goodrich was one of these. Was it proper for him to place himself

in office, without knowing whether those whose agent he was to be, could have confidence in his agency? Can the preference of another as the successor of Mr. Austin be candidly called a removal of Mr. Goodrich? If a due participation of office is a matter of right, how are vacancies to be obtained? Those by death are few, by resignation none. Can any other mode than by removal be proposed? This is a painful office: but it is my duty, and I meet it as such."¹

The effect of this letter might easily have been foreseen. It increased the number of applications for office and encouraged the Republicans to hope for a general removal of Federalist officials.² Nevertheless Jefferson was glad he had written it, as it gave him an opportunity to disavow the "sophistical construction" which had been placed upon his declarations of March 4.³ However fit for the office Bishop may have been, he did not enjoy it long. He died in the summer of 1803, and his son, Abraham Bishop, also a staunch Republican, was appointed in his place.

While the Federalists of Connecticut were thus early marked for slaughter, it was Jefferson's belief that in the South the Republicans would demand few removals. He wrote to McKean, of Pennsylvania, July 24, 1801: "What is done in one state very often shocks another, though where it is done it is wholesome. South of the Potomac not a single removal has been asked. On the contrary they are urgent that none shall be made."⁴

This may have been true at the time when it was written, but there was unmistakable proof soon afterwards that the Southern Republicans shared the spirit of the Republicans of the North. Who was the author of the following letter does not appear, but he was doubtless a man of influence, and the letter passed through Jefferson's hands before it was filed in the State Department.

Copy.

CHARLESTON July 24th 1801.

Dear Sir.

. . . But I do say that no confidence ought to be put in any of the party, and that a temporizing plan will be the destruction of those who make use of it; I look upon the whole federal party (with but few exceptions) as men, who if they had the power, would destroy the present Government, merely that they might be revenged on those now in possession, and who support it on revolutionary principles. They are so soured at their late defeat, that I firmly believe they would make our

¹ *Writings*, VIII. 67 *et seq.*

² See Gallatin to Jefferson, Gallatin's *Writings*, I. 32, 33.

³ Jefferson's *Writings*, VIII. 78.

⁴ *Ibid.*

government a monarchy, or even restore it to the stupid wretch who once was our master, could they but bear down the present administration. I have no confidence in federalists, every day exposes their cloven feet, and if our government does not act with a firm hand, and make an example of all those who have trodden down the liberties of the people, and who ruled with a Robespierian sway in 98 and 99, they will rise into power again, and all the trouble the republicans have been at to bring things back to first principles has been exerted in vain. The Banks ought to be purified, the branch bank here has 12 federalists to 1 republican. The monied interest I fear is hostile to the present administration, without this engine is turned about, or in some measure bridled, it will upset the vessel, and I am sure it could not be done if due precautions are taken, for as a party, the federalists are not formidable, they are composed of trifling lawyers, men swollen with family pride, ignorance and impudence; fellows thirsting for gain; others filled with an itch for dipping their hands in the public purse, under cover of appointments; and all the old tories and their descendants. The Judiciary is also inimical, but I fear, the only purifier of this engine will be time; as the judges die off, the government must be careful to replace honest men in the room of the present set of flexible gentry; until these desirable events take place they must be watched well . . .

Another letter from the same city is from Ædanus Burke, whose powerful democratic reasoning in a pamphlet levelled against the Society of the Cincinnati had been translated into French by Mirabeau and figured in the democracy of the French Revolution. Philip Freneau, in whose behalf a part of the letter was written, was then living in New York, and was later, October 23, 1803, urged by Francis Bailey for appointment as postmaster at that city. Bailey's letter, like Burke's, was addressed to Madison, to whom few applications for office were sent while he was Secretary of State, the greater portion of those not directly addressed to the President going to Gallatin, the Secretary of the Treasury. Burke's letter reveals the fact that it was Madison who prompted the appointment of Freneau as translator in the State Department, when Jefferson was Secretary of State under Washington. While holding the office, Freneau edited the *National Gazette*, an extreme Anti-federalist organ, which constantly attacked Washington and Hamilton. However well-disposed towards him personally Jefferson and Madison may have been, he received no appointment from his former patrons. The second portion of Burke's letter shows, in the striking style which made him famous, the extreme animosity between the opposing parties in South Carolina.

CHARLESTON 13th Sept. 1801.

I remember, it was about the last fortnight that we served together in Congress, in 1791, I one day called you aside, and mentioned the

name of M^r Phillip Freneau to you, as one I knew you esteemed, and then lay struggling under difficulties, with his family. My memory brings to my recollection, that you mentioned the matter to the Secretary of State, M^r Jefferson. Freneau was invited from N. York, and had the place of interpreter, with a mere trifle of Salary. Little did William Smith know, that you were the author or cause of bringing Freneau from New York ; or he might have turned against you, his terrible battery of the slanders and invectives which he poured forth against M^r Jefferson for three or four years afterwards. I am sorry to have it to say, that Freneau, with his wife and two children, is still in embarrassed circumstances. He is a virtuous, honest man, and an undeviating Republican ; yet utterly incapable of soliciting anything for himself. The best apology I can offer for mentioning it, is that I know you have great regard for him. You were at college together, as I heard you often say.

I have not the pleasure of being intimate with the present Secretary of the Treasury, tho I have been in his Company. His father in Law's family in N. York always receive me as a friend. I fear I am incorrect in mentioning to you, what I know belongs to his department ; and the statement that I am about to make is merely for his information.

The Surveyor for this port, is M^r Edward Weyman. Among the Republicans in and around this city, there is a lively apprehension, that thro some mistake or other, he may be removed from his Employment ; not so much, I do confess, on the Score of his being a very worthy honest man, as for his republican principles. During the reign of Terror in 1798 and 99 which struck into the minds of men such a dread and panic in this City, there were not ten men to whom I dare speak my mind ; there were not, I declare before God, there were not half a dozen men, yet Weyman never quitted the Ground ; and I expected every week nothing less than his removal. I congratulate you Sir, that that Season of Tribulation is past. I have been a prisoner of war in the hands of the British for Sixteen months, captured with the Garrison in Charleston : and provided I had a good Guarantee of an Exchange, I would as lieve go to the Devil for Sixteen months more as be with the British again ; and yet, it was not so excruciating to one's feelings, as the despotic insolence, with which one part of our fellow citizens hunted down those who differed from them in that day. I visited Philadelphia and N. York during part of that time. No historical account will be able to give a good idea of it. I fear it is a national crime, and may God forgive the Guilty and Guard the innocent in future.

Accept, Sir my high respect and Esteem for you.

Æ : BURKE.

The Honble

James Madison Esq.

As his administration progressed Jefferson abandoned his plan of placating the Federalists. February 18, 1803, he said in a letter to Benjamin Hawkins :

The preceding administration left 99 out of every hundred in public offices of the federal sect. Republicanism had been the mark of Cain which had rendered those who bore it exiles from all portion in the trusts and authorities of their country. This description of citizens called imperiously and justly for a restoration of right. It was intended, however, to have yielded to this in so moderate a degree as might conciliate those who had obtained exclusive possession; but as soon as they were touched, they endeavored to set fire to the four corners of the public fabric, and obliged us to deprive of the influence of office several who were using it with activity and vigilance to destroy the confidence of the people in their government, and thus to proceed in the drudgery of removal farther than would have been, had not their own hostile enterprises rendered it necessary in self-defence.¹

Writing on the same subject to William Duane, the editor of the *Aurora*, later in the year (July 24) he said that, as a result of removals, deaths and resignations, only 130 offices subject to his appointment were held by Federalists, out of a total of 316.² There is a tabulated statement among the archives, showing by states and districts the officers of "External Revenue," or customs, and the changes which had been made up to June 16, 1803. Of a total of 165 officers, fifty-nine were new appointments. Eight changes are charged to death, nine to "misbehavior" and four to resignation. The remaining thirty-eight changes were doubtless based upon political considerations. Ædanus Burke's letter, already quoted, and a few other letters indicate that some of the incumbents who were not removed by Jefferson were republicans. Before his administration expired forty-six more appointments were made in the customs service,³ making one hundred and five in all.

In the judiciary changes could only be effected as death or resignation afforded opportunity, and the idea of "due proportion" required that only adherents of the dominant party should receive preferment. In 1804 Alfred Moore, of North Carolina, resigned from the federal Supreme Court, and Jefferson determined to appoint a South Carolina lawyer to the vacancy. The result of his search for a suitable character is shown in the following memorandum. The Gaillard whose name he considered was Theodore Gaillard, afterwards chancellor and state judge, the brother of John Gaillard, who was subsequently a senator. William Johnson's name was sent to the Senate March 22, 1804.⁴

¹ *Writings*, VIII. 212, 213.

² *Id.*, 258.

³ *Executive Journal of the Senate*, I. and II.

⁴ *Id.*, I. 466.

- 1804 Feb. 17. Characters of the lawyers of S. C. W. H. T. S.¹
- | | | |
|----------------------|---|--|
| John Julius Pringle | } | These are the two principal of those called republicans. They are of old standing, and highest repute. Pringle was wavering once, was even with the federalists, but got back again. but both are so moderate, that they only vote with the republicans; they never meddle otherwise. Pringle is so rich that he confines his practice to Charleston, and it is thought would not accept a commission which should call him from there. Waities is so sickly that he would not be able to ride. neither would possess the confidence of the republicans. |
| Waities ² | | |
- William Johnson. a state judge. an excellent lawyer, prompt, eloquent, of irreproachable character, republican connections, and of good nerves in his political principles about 35 years old. was speaker some years.
- Trisvan.³ a state judge. of equal respectability, or very nearly so, and indeed in every qualification as Johnson. same age. but of such total feebleness of body as to be quite unfit.
- Gilliard. was speaker of the assembly, equal in talents to Johnson
all his connections were revolutionary Tories, and their estates confiscated. They got something back again, at least his father did. This young man was educated abroad. he returned soured ag^t those in power for what his family had suffered. he found he had nothing to hope from them, and joined those who now constitute the republican party. his conduct while in the assembly was uniformly firm, almost vindictive; yet in an instance or two, from family influence or interest he has swerved a little from sound principle. upon the whole, his standing is not quite as respectable as that of Johnson.

There appears to have been no exception in favor of non-partisan appointments in any branches or grades of the service, political considerations entering into all from the Supreme Court to department clerkships. An illustration is found in the case of Anthony Campbell and William P. Gardner, two clerks in the auditor's office

¹ Wade Hampton, a representative, and Thomas Sumter, a senator from South Carolina, doubtless Jefferson's informants.

² Thomas Waities, a State judge. ³ No doubt meant for Judge Lewis C. Trezevant.

during the Adams administration. In a letter to Jefferson, dated October 12, 1801, Campbell tells why he left the service. During the latter part of Adams's term the official accounts of Timothy Pickering, as Secretary of State, and of General Jonathan Dayton of the army, fell into Campbell's hands in the course of his duties, and he thought they gave evidence of "defalcations and speculations." Accordingly he carried copies of them to Duane, of the *Aurora*, and later produced the original account-book itself, with which the copies were compared, and from which several additional copies were made. The story of Federalist peculations appeared in due course in the *Aurora*, *American Citizen*, and other Republican papers. Gardner's part in the transaction was, according to Campbell, that of subordinate assistance. Campbell was dismissed and Gardner resigned, but the full measure of their offense was not discovered until after they had left the service. Upon the accession of Jefferson, Duane asked that Gardner be appointed agent to the Choctaw Indians, and that Campbell be given a commission in the army.¹ Gallatin wrote to Jefferson August 10, 1801: "Whatever impropriety there might be in their conduct, I have reason to believe Gardner to be a man of honor. Campbell is very impudent, but as enthusiastic as his friends (the United Irishmen, I mean) commonly are."²

Under date of August 14, Jefferson replied that Gardner either should have the place he wanted, or he "should wish to make some other provision for him." He added: "With respect to Campbell, a restoration to the same office would seem to be the best and safest redress."³ Again, August 28, he wrote: "I think we should do justice to Campbell and Gardner, and cannot suppose the Auditor will think hard of replacing them in their former berths."⁴ But when Gallatin approached the auditor on the subject he was met by a very determined opposition, and he gave it as his own opinion that Campbell, at any rate, ought not to be restored.⁵ It was at this juncture (February 26, 1802), that Campbell wrote a voluminous and sophomoric communication to Jefferson. So far from having committed a breach of trust while he was in office, he thought his conduct most praiseworthy.

Besides being supported by the strongest hereditary claims on national gratitude, perhaps, few surviving individuals have stronger claims to the patronage of a republican administration. The mature part of my life and a competence has been devoted and sacrificed on the altars of liberty. Numerous testimonials of the truth of these assertions are in my

¹ Gallatin's *Writings*, I. 34.

⁴ *Id.*, I. 42.

² *Writings*, I. 34.

⁵ *Id.*, I. 50.

³ *Id.*, I. 37.

possession. One, and the most recent, is the certificate of three virtuous, respectable and influential American republicans; testifies that I have ‘rendered the United States an essential service.’

After stating that this very service had been the cause of injury to him, and that he was reduced to extremities, having parted with his watch, and even that part of his “small wardrobe not in actual service,” he proceeded vehemently to defend his conduct. His disclosures had assisted the Republican cause, he said, and tended to “derange the wicked plans of the sanguinary myrmidons of reviving toryism.” He did not understand that his oath of office imposed silence on clerks, or required them to conceal the irregularities of public officials. “Would it,” he said, “have been patriotic to have wrapped myself up in the mantle of hypocritic silence, when I knew (or even thought I knew) there was a party in power, whose grand object it was to annihilate every vestige of republicanism; to trample on equal rights; to subvert the dearest rights of man!!” Fondly would he hope that his case might not be cited “as the last sad example of the ingratitude of Republics.” He begged for an Indian agency or a clerkship.

While Gardner’s application was pending, his friend Duane wrote to him. The letter is dated Philadelphia, June 11, 1801, where Duane was at the time in the debtors’ prison. In the course of the letter he said he found his situation “far from irksome or inconvenient,” as he enjoyed the society of his family and friends, and thought this attack on him, like former ones, likely to produce public good, as well as benefit to him personally. The letter begins, “Dear Gardner,” and says: “I know that there is much Disgust felt by the Heads of Departments at the Conduct of the whole of the Clerks in the Offices and that none of them that have misconducted themselves will ultimately be retained.” At the same time he pointed out the difficulty of removing them, until there had been time to estimate them and learn what duties they severally performed.

In a letter to Gallatin dated Washington, June 31, 1801, Gardner asserted that the publication of the accounts originated with him. He added:

If in your view I have acted improperly in publishing these accounts, I beg you will ascribe the Act to the purest motive. . . . I considered that the publication of these accounts wou’d have a material effect upon the minds of the people and essentially aid the Cause of Republicanism at the then approaching election. . . . It does not follow that because I have published the accounts in Question I make a practice of these things No, Sir! I adhor the Idea of such Conduct. It was done under peculiar Circumstances and at a time when no genuine Republican shou’d have been found sleeping at his post.

Following the vein of Duane's letter to him, Gardner wrote to the President from Philadelphia, November 20, 1801, saying in the course of his letter :

My attachment to the cause of Republicanism and my ardent Wishes for the prosperity of your Administration induce me to mention the names of some Persons who are now in Office under the General Government. Men who I know to be the bitterest and most violent enemies of the Principles of our Constitution. Mr. Wagner Chief Clerk in the Office of M^r Madison has in my hearing frequently ridiculed Republicanism, declaring in the language of M^r Adams, that it meant anything or nothing. He has said that he never knew a man among the Republicans trustworthy, of probity or principle. About two years since he made a Bet with Mr. Jeremiah Pearsal of this City that M^r Gallatin in the Course of one year from that Date wou'd either be hung or sent out of the Country, observing at the same time that he considered himself perfectly justified in making the Bet from the well known infamy of M^r Gallatin's Character. . . . The late M^r Robert Jones Heath informd me when I was at Washington that Edward Jones, Chief Clerk in the Treasury Department was one, among a few others, who at Trenton in the year 1798, when the public Offices were there, gave M^r Heath an invitation to drink a Glass of Wine and the first Toast given was "D——n to Thomas Jefferson."

He gave a list of "Revilers and slanderers of those under whom they are now placed." It included seven names of clerks in the several departments.

March 10, 1802, Gardner was nominated to be consul at Demerara,¹ and on March 25 Campbell's name was sent to the Senate as an ensign in the army.² Yet both of these men had been guilty of a flagrant breach of trust. Even if the accounts which they published had really proved defalcations by Pickering and Dayton (which they did not do) their action in disclosing official secrets was none the less blameworthy. Campbell had done more than this. He had purloined for a brief period the official record, an offense now punishable by fine and imprisonment. That they thought themselves right and that they were rewarded by Jefferson simply shows how political passion may blind the better natures of men.

But while the President was often blinded to the faults of ardent, effective Republicans, there was one Republican of fast-rising reputation in the country whom he estimated carefully and perhaps unfavorably. It was Andrew Jackson, of Tennessee. In the spring of 1804, when Jackson was in Washington, he wrote to his friend, George W. Campbell, on the subject of his candidacy for appointment as governor of the newly-created Territory of Orleans. He

¹ *Executive Journals*, I. 409.

² *Id.*, 415.

would not, he said, personally solicit the post from the President, as he considered such a course unworthy, and he did not, apparently, think his chances of appointment promising. He continued :

Who the choice is to fall upon is not known here unless to the secretary of State—but I have reason to conclude that Mr. Claiborne will not fill that office,¹ I have also reason to believe that if a suitable character can be found who is master of the French Language that he will be preferred. I think that, a proper qualification of the Governor of that country to possess, provided it is accompanied with other necessary ones. I never had any sanguine expectations of filling the office. If I should it will be more than I expect.²

Jackson's name was regularly brought forward in a joint letter to Jefferson from the Tennessee senators, Anderson and Cocke, the representatives, Campbell, Dickson and Rhea, and Matthew Lyon, whose tempestuous career in New England had terminated, and who was then a representative from Kentucky. The letter, which is undated, is as follows :

FEDERAL CITY

Sir—

We the undersigned being sensibly impress'd with the importance of having a proper Character for Governor of Orleans—and believing it to be our duty, to bring to your View such a one as we believe will so Conduct as to promote the best interest of the United States—and possess the Confidence of the Western people ; whose interest will be very greatly concernd therein—and believing that the person, who shall be appointed to that office—ought to possess in an eminent degree zeal and inflexible integrity—perspecuity of mind and soundness of Judgment—promptitude in decision, in emergent cases—and firmness in their Execution ; such a knowledge of the Human mind as to manage its foibles, its follies, and its views so as to conciliate them to obedience to the Laws ; or to punish them with such discretion, as to leave no cause for murmur—and yet Command Submission—easy of access to all who may have business to transact and yet so deport himself as to preserve the proper dignity of the office—Such qualities do we recognize in the Honble Andrew Jackson now one of the Judges of the Superior Court—and Major General of the State of Tennessee—and do therefore recommend him, as a proper Character for that appointment—with Sentiments of Very high consideration.

JOS: ANDERSON
W^m COCKE
G: W: CAMPBELL
W^m DICKSON
JOHN RHEA
M. LYON.

¹ He was appointed.

² Parton's *Jackson*, I. 237.

Daniel Smith, who had recently retired as senator from Tennessee, and who resumed the office in 1805, also wrote in Jackson's behalf, but a neighbor of Smith's in Sumner County, William Henderson, thought it proper to warn the President against appointing the man whose feud with Governor Sevier had just terminated and who was on the eve of his deadly quarrel with Charles Dickinson.

SUMNER COUNTY—STATE OF TENNESSEE.

February 28th 1804

Dear Sir

I congratulate you upon the Session of the Louisiana Country to the United States. we are informed that it will be divided into two Territorial districts, I suppose each district will have a Governor and am apprehensive that Andrew Jackson of this State has by some of his friends and connections been recommended to you as a proper person to fill one of those important Offices.

As I have some expectations of being a Citizen of that Country I feel myself somewhat interested in those appointments.

Sir from my long acquaintance with you I have taken the liberty of dropping a few hints (to you) for the good of the public and citizens at large respecting that Gentleman I have been acquainted with M^r Jackson for several years and view him as a man of Violent passion, arbitrary in his disposition and frequently engaged in broils and disputes. No character escapes him, is now sued for an assault and Battery, and in a few days will be indicted for a breach of the peace, Such a character I conceive is not a proper one to fill the office of Governor tho he is a man of talents and were it not for those dispotic principles he might be a useful man.

I am D Sir Respectfully

Your M^o. ob. and Hum^l srv.

WILLIAM HENDERSON.

How far Jefferson was influenced by Henderson's letter in his rejection of Jackson can only be conjectured. It is probable, however, that he shared Henderson's opinion, for, many years afterwards, he pronounced Jackson, according to Daniel Webster's report, "a dangerous man."¹ Such, briefly, is the story of the unsuccessful attempt of the future hero of the Democratic party to obtain an office from its first leader. At the time when Jackson was an office-seeker Jefferson had been President nearly three years. He was dispensing the federal patronage carefully and methodically, but the result of his methods did not differ materially from that attained by Jackson a generation later.

The papers already quoted are a fair index to Republican public sentiment in New England and the South. In the Middle States

¹ See Parton's *Jackson*, I. 219.

party feeling ran almost, if not quite, as high. The following memorial is against Moses Kempton, collector of customs at Burlington, New Jersey. He was removed and William H. Burr, whom the memorialists recommended, was appointed in his place March 24, 1804.¹

To the President of the U. States,—

The Memorial and Representation, of the Subscribers, republican Citizens, of the district of Burlington, in the State of New Jersey, respectfully Showeth—

That we have beheld with considerable regret for some time past, Moses Kempton Esquire, in occupancy of the office of Collector of the Customs, for this District; and pray that he may be succeeded by William H. Burr Esquire; for the following reasons.—

1st The said Moses Kimpton is a violent Federalist, and a rigid persecutor of Republicans; as a proof of which we state the following facts; On the 10 February 1802 William Pearson, (in company with William Coxe both members of the Legislature, and violent friends of order) was arraigned at the Bar of the Court, of Quarter Sessions, of this County; for waylaying and inhumanly beating, a respectable republican Citizen, viz. Ebenezer Tucker Esquire, on the Question of the Court (of which Mr. Kimpton was a member) what sum the said Pearson should be fined, for the outrage, the said Kimpton voted for the culprit to pay the insignificant sum of *10 cents*; when William H. Burr Esquire and other republican members, voted that Pearson should be fined from 500 to 800 Dollars; see the “True American of the 30 March 1802.—2nd We very much doubt the said Kimptons, Honesty and Integrity. . . .

We presume it would be superfluous, in us, to remind the President, how expedient it is, to remove from power, and Influential offices, men of M Kimptons character and violence; and for men to succeed them, who are just and moderate, and who are not only attached to Republican Men, but Republican measures. . . .

District of Burlington

May 25th 1803

AMOS HUTCHINS

GEORGE PAINTER,

and seven others.

Republicans in Pennsylvania, as those in Connecticut and South Carolina, asserted that some of the Federalists were intriguing with a view to overthrowing the republic. Tench Coxe wrote to Jefferson from Lancaster, April 23, 1801:

It is not a pretense, that there exists in the United States an interest unfriendly to representative government, and that it has formed a local American alliance, and a foreign anti-republican Alliance. How

¹ *Executive Journal of the Senate*, I. 466.

far it has influenced the appointment of many incumbents in office will not escape consideration on the present occasion. . . . If we survey the channels thro which the persons alluded to have worked upon the public mind we shall find them filled with arguments against any changes, to cover those, which they most desire to maintain in office and promote the introduction of other persons of like principles and opinions. Under such circumstances it becomes *deeply* interesting, that sincere, vigilant, energetic, firm and able friends to our form of government should be employed.

From Carlisle, March 23, 1801, William Irvine wrote in a similar vein to Madison :

Many of us, you and I amongst the first, have been some years past vilely traduced, as men who were using every effort (insidiously too) to destroy the Government. this charge might fairly and on good ground be retorted. but it is time if it can be effected to have done with revilings and abuse ; I fear however it will be difficult, as that will not answer the purpose of the oposite party, some of whome I am confident will be satisfied with nothing short of some form of Monarchy. these to be sure are not numerous, and they would be deserted by many who talk highly of their Federalism, the moment they understood their leaders actually meant a Monarchy. They all now, at the present moment, affect great moderation, speak of conciliation as very desirable, extoll the Presidents speech—&c &c. But mark the end. they expect and wish conciliation all on one side. so soon as they find that they and friends are to be dismissed from office, the [*sic*] will bounce and kick.

My opinion on this head is, that their temper and spirit should be fairly tried, there is no danger in an experiment of this kind, they say the Democrats (an epithet of reproach) have not capable men enough to fill the offices if they were even well disposed. I am among those who gives no credit to this, I believe there are plenty as capable and much more deserving in all respects than the present incumbents.

On general principle, I am persuaded it will be highly injurious to the Republican interest, if the changes are not pretty general. For Pennsylvania, where the thing has come more immediately under my observation, I know it is indispensably necessary that a general change should take place in the Excise officers particularly, they never were very well chosen it is well known that Excise officers in Penn^a have made use of the powers the office gave them to its full extent, for Electioneering purposes, and in short, trample on the Republicans—by pressing them, when in their power, and sparing the Federalists, to the risk and perhaps ultimate loss of the public—the Chief of these gentry, it is well known, had much, very much influence, in keeping together the 13 members of the Penn^a Senate, who prevented an unanimous vote for M^r Jefferson If they are not turned out, in due time, it must and will discourage hereafter the exertions of the Republicans, this is human nature, no danger will result from putting down one set and gradually raising the other in their stead.

Many (friends too) fear lest the President and heads of Departments may be too timid, conciliating and temporizing. I tell them, I cannot believe this. they must and will see the propriety and necessity of decision and firmness, mixed no doubt with temper and moderation—at the same time preferring the friends and real supporters of Government to their and its enemies. . . .

The political situation in New York has been in an ensnarled condition since the beginning of the government. Jefferson determined at the outset to make removals there. He wrote George Clinton, May 17, 1801 :

To you I need not make the observation that of all the duties imposed on the executive head of a government, appointment to office is the most difficult and most irksome. . . . Disposed myself to make as few changes as possible, to endeavor to restore harmony by avoiding everything harsh, and to remove only for malconduct, I have nevertheless been persuaded that circumstances in your state, and still more in the neighboring states on both sides, require something more. It is represented that the Collector, Naval Officer and Supervisor ought all to be removed for the violence of their character and conduct.¹

An unsigned paper in the handwriting of Aaron Burr, and endorsed by Jefferson "from Col^o Burr" reads as follows :

NEW YORK

David Gelston collector vice Sands
John Swartwout Marshall———Giles
Theod^r Bailey Super^r and Inspect.—Fish
Matth. L. Davis Naval officer——Rogers
Ed. Livingston Dist. Att^y——Harrison.

The repub^s of the N. York delegation in Senate and H. of Rep. are unanimously of opinion that these changes should immediately be made. They unite also in the arrangement here proposed except that one Gentleman would prefer that Bailey and Davis should change places. Willet and Browne are also candidates for the office of Marshall. They are all well known to A. Gallatin.

Post M^r at Esopus vice Elmendorf
D at Poughpsie vice

These are the suggestions of A. B. from personal knowledge.

Bailey and Davis were not appointed, but the other names on the list were sent to the Senate.

Yet from New York came almost the only letter in favor of the appointment of a Federalist to office. It was written by Samuel

¹ *Writings*, VIII. 52, 53.

Miller February 6, 1805, and was addressed to Gallatin. It is needless to say its recommendation was unsuccessful.

Judge Hobart of our district is dead ; and the necessity of appointing another district Judge will immediately occur. The object of this letter is to ask whether Mr. *William Johnson*, of our city, (with all his federalism) would stand any chance of being thought of, and nominated to this office? You are somewhat acquainted with his general character ; and those who know him more intimately, I am confident, would find no difficulty in recommending him highly as a man of talents, learning, integrity, dignity and urbanity. If I mistake not, his talents are peculiarly fitted to fill with honor and usefulness a judicial seat ; and his great modesty renders such a plan peculiarly desirable to him. His political character, (tho' on the wrong side) is remarkably mild and unoffending ; and I am firmly persuaded would give no trouble to the government, or to any one else. . . .

The applications for office during Jefferson's administration prove beyond dispute that prevailing public sentiment on the subject of appointments and removals was in favor of their being made for political reasons. Jefferson recognized and followed this sentiment, and he achieved a popularity which increased instead of diminishing. His first election to the presidency was obtained by a narrow majority through the House of Representatives, the electoral colleges failing to give him a majority vote. His second election was won easily, the opposition to him having become insignificant, and he might have secured a third term had he desired it. After his retirement he still remained the foremost character in America in the eyes of his party, and that party has continued to conjure with his name for nearly a century. No other president since Washington has enjoyed such a popular approval, with the possible exception of the man whom he would not appoint as governor of the new Territory of Orleans, and whom his correspondent described as "of Violent passions, arbitrary in his disposition and frequently engaged in broils and disputes."

GAILLARD HUNT.